

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

v.
Plaintiff,

CUMBERLAND DRW LLC,

Defendant.

Case No. 24-CV-09842 (MFK)

**UNOPPOSED MOTION FOR AN EXENSTION OF TIME FOR
PLAINTIFF TO RESPOND TO DEFENDANT'S MOTION TO DISMISS**

Plaintiff Securities and Exchange Commission (“SEC”) respectfully submits this unopposed Motion for a 30-day Extension of Time for the SEC to Respond to Defendant Cumberland DRW LLC’s (“Cumberland”) Motion to Dismiss the Plaintiff’s Complaint (“Motion to Dismiss”). The SEC’s response to the Motion to Dismiss is currently due on February 19, 2025. (See ECF No. 17.)

As this Court is aware, the SEC’s Complaint alleges that Cumberland bought and sold for its own accounts, as part of its regular business, crypto assets that were offered and sold as securities; and that, in doing so, Cumberland acted as a securities dealer but failed to register as required. (ECF No. 1, SEC Complaint, ¶¶ 1-2.)

On January 21, 2025, Acting Chairman Mark T. Uyeda launched a crypto task force dedicated to helping the Commission develop the regulatory framework for crypto assets. The work of this task force may affect and could facilitate the potential resolution of this case. Accordingly, the SEC believes that an enlargement of time is appropriate and will allow the parties to explore a potential resolution of this matter while conserving judicial resources.

The SEC requests a 30-day extension of time to respond to Cumberland's Motion to Dismiss not for the purpose of delay but for good cause, as discussed above. Finally, the SEC's request should have no adverse effect on the schedule for this case, which has not yet been set.

The SEC conferred with Cumberland, and they do not oppose this motion or the proposed relief.¹

WHEREFORE, the SEC's respectfully request the Court to enter an Order extending the due date for the SEC's response to Cumberland's Motion to Dismiss from February 19, 2025, to March 21, 2025, and extending the due date for Cumberland's reply from March 12, 2025 to April 18, 2025.

Dated: February 10, 2025

Respectfully submitted,

s/ Christopher E. Martin
Christopher E. Martin (AZ Bar # 018486)
U.S. SECURITIES AND EXCHANGE
COMMISSION
1961 Stout Street
Suite 1700
Denver, CO 80294
Phone: (303) 844-1106
martinc@sec.gov

Timothy J. Stockwell (DC Bar #484238)
U.S. SECURITIES AND EXCHANGE
COMMISSION
175 West Jackson Boulevard, Suite 1450
Chicago, Illinois 60604
Telephone: (312) 596-6049
Facsimile: (312) 353-7398
stockwellt@sec.gov

*Attorneys for Securities and Exchange
Commission*

¹ Cumberland's counsel did request an additional week to reply to the SEC's response to Cumberland's Motion to Dismiss due to professional conflicts and travel. The SEC does not object to Cumberland's request and has included it in the requested relief.